



General Assembly

**Amendment**

February Session, 2006

LCO No. 4232

**\*HB0559604232HDO\***

Offered by:

REP. O'CONNOR, 35<sup>th</sup> Dist.

SEN. CRISCO, 17<sup>th</sup> Dist.

To: House Bill No. 5596

File No. 180

Cal. No. 142

**"AN ACT PROHIBITING INTERNET MISREPRESENTATION OF  
BUSINESS AFFILIATION."**

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- 1 Change the effective date of section 1 to "October 1, 2006"
- 2 In line 1, strike "this"
- 3 In line 2, strike "section" and substitute in lieu thereof "sections 1 to
- 4 4, inclusive, of this act"
- 5 Strike lines 23 to 47, inclusive, in their entirety and substitute the
- 6 following in lieu thereof:
- 7 "Sec. 2. (NEW) (*Effective October 1, 2006*) (a) No person shall, by
- 8 means of a web page or electronic mail, electronic mail message or
- 9 otherwise using the Internet, solicit, request or take any action to
- 10 induce another person to provide identifying information by
- 11 representing that the person, either directly or by implication, is an on-
- 12 line business without the authority or approval of the on-line business.

13 (b) Any person who violates this section shall be guilty of a class D  
14 felony.

15 Sec. 3. (NEW) (*Effective October 1, 2006*) (a) Any person whose  
16 property is injured by reason of a violation of any provision of section  
17 2 of this act may bring an action in the Superior Court to enjoin further  
18 violations and to recover the actual damages or fifty thousand dollars,  
19 whichever is greater, for each violation of section 2 of this act and  
20 reasonable attorneys' fees and costs. No action under this subsection  
21 shall be brought but within two years from the date when the violation  
22 is discovered or in the exercise of reasonable care should have been  
23 discovered.

24 (b) An injured person who provides Internet access to the public or  
25 owns a web page may also recover reasonable attorneys' fees and costs  
26 and may elect, in lieu of actual damages, to recover fifty thousand  
27 dollars for each violation of section 2 of this act.

28 (c) The Attorney General, acting on behalf of the state of  
29 Connecticut, may bring an action in the Superior Court in which a  
30 violation of section 2 of this act occurs to enforce the provisions of  
31 section 2 of this act. In any such action, the Attorney General may  
32 obtain, for the benefit of persons adversely affected by a violation of  
33 section 2 of this act, any relief to which such persons may be entitled.  
34 Nothing in this section shall limit the right of a person adversely  
35 affected by a violation of section 2 of this act from bringing a private  
36 cause of action under this section.

37 Sec. 4. (NEW) (*Effective October 1, 2006*) For the purposes of sections  
38 2 and 3 of this act, multiple violations of section 2 of this act resulting  
39 from any single action or act shall constitute one violation."